

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion and present amendment, is respectfully requested.

Claims 1-13 are pending in the present application, Claims 1, 7, 8, and 9 having been amended, and Claims 10-13 having been added. Support for the amendment to Claims 1, 7, 8, and 9 is found, for example, in Fig. 4 and its corresponding description in the specification. Support for new Claims 10-13 is found, for example, in Fig. 4 and its corresponding description in the specification. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 1-9 were rejected under 35 U.S.C. §102(b) as anticipated by Takemoto (JP 08-147163); and Claims 1-9 were rejected under 35 U.S.C. §102(e) as anticipated by Cook et al. (U.S. Patent No. 6,829,716).

With respect to the rejection of Claim 1 as anticipated by Takemoto, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*, “wherein when the holding means is bypassed, said synchronizing clock signal supplied to the holding means is cut off.” Takemoto does not disclose or suggest this element of amended Claim 1.

As an initial matter, it is noted that MPEP §706.02 II is relevant to rejections based on English Abstracts and/or the underlying foreign language document. This MPEP section makes it clear that if the Examiner is relying on both the English Abstract and the underlying Japanese document (JP 08-147163), a translation of this document is to be obtained and supplied prior to implementing a final Action. As the present Action includes no translation of the underlying document, the outstanding Office Action must be relying on the English

Abstract alone. However, MPEP §707.02 II makes it clear that such reliance is “inappropriate where both the abstract and the underlying document are prior art.”

Accordingly, it is respectfully submitted that the present Action that must be relying only on the Takemoto English Abstract is inappropriate and should be withdrawn. Furthermore, to the extent that any subsequent Action relies on Takemoto (JP 08-147163), a copy of the full translation should be supplied as required under MPEP §706.02 II.

In the invention defined by Claim 1, a clock signal being supplied to the holding means is cut off when the holding means is bypassed. Page 25, line 20 to page 26, line 4 explains how this feature advantageously allows for appreciable power savings for the information processing apparatus as a whole.

The English abstract of Takemoto does not disclose or suggest the claimed “wherein when the holding means is bypassed, said synchronizing clock signal supplied to the holding means is cut off.” Takemoto describes lowering power consumption on a pipeline circuit with a structure different from the invention defined by Claim 1. Takemoto’s low power scheme is for clock drivers 22 and 23, and the low power scheme is achieved by discharging circuit 24, which helps electron movement between two clock drivers 22 and 23.

In view of the above-noted distinctions, Applicant respectfully submits that Claim 1 (and any claims dependent thereon) patentably distinguish over Takemoto. Claims 7-9 recite elements analogous to those of Claim 1. Thus, Applicant respectfully submits that Claims 7-9 (and any claims dependent thereon) patentably distinguish over Takemoto, for at least the reasons stated for Claim 1.

With respect to the rejection of Claim 1 as anticipated by Cook, Applicants respectfully submit that the amendment to Claim 1 overcomes this ground of rejection. Cook does not disclose or suggest any “bypassing means” as described in Claim 1. In Cook, latches 204s of Fig. 5, 304s of Fig. 6, and 404s of Fig. 8 are not bypassed in any operation.

Thus, since Cook does not disclose the claimed “bypassing means,” Cook also fails to disclose or suggest the claimed “when the holding means is bypassed, said synchronizing clock signal supplied to the holding means is cut off.”

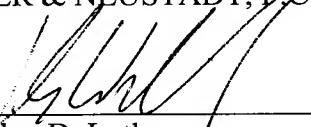
In view of the above-noted distinctions, Applicant respectfully submits that Claim 1 (and any claims dependent thereon) patentably distinguish over Cook. Claims 7-9 recite elements analogous to those of Claim 1. Thus, Applicant respectfully submits that Claims 7-9 (and any claims dependent thereon) patentably distinguish over Cook, for at least the reasons stated for Claim 1.

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Consequently, in light of the above discussion and the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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